IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE

WRIT PETITION NO.2077 OF 2004

Sankh Vividh Karyakari
Sahakari Society ... Petitioner

V/s.

Sangli District Central
Co-operative Bank & Ors. ... Respondents

Mr.Amit Sale for Petitioner
Mr.C.R. Sonawane, AGP, for Respondent Nos.3 to 5

CORAM: **H.L. GOKHALE &**
SMT.NISHITA MHATRE, JJ.

DATED: **SEPTEMBER 14, 2004**

P.C.:

. Heard Mr.Sale for the Petitioner-society and Mr.Sonawane, Assistant Government Pleader, appearing for Respondent Nos.3 to 5. Respondent Nos.1 and 2 are not present though they are served wayback in March 2004. An affidavit in reply of the Assistant Registrar, Cooperative Society, Jath, District Sangli is also filed.

2. Some kind of grievance is made in paragraph 19 of the Petition that some persons were in influential position in Respondent No.1 bank and they did not want the petitioner-society to function properly and, therefore, the loans to its members are not being

disbursed. It is material to note that though Respondent Nos.1 and 2 are served, they have not cared to cause any appearance or to file any reply.

3. In the reply filed by the Assistant Registrar, it is stated in paragraph 3 that in the event assurance letters are given by the Petitioner-society, appropriate disbursement of loans could be expected. Inasmuch as Respondent No.1 bank is not before the Court, there is nothing much that we can do at this stage. Mr.Sale, for the Petitioner, states that if this is the expectation, the petitioner society will give the assurance letters. In such case, Respondent No.1 bank will scrutinise the letters and the applications and if they are in accordance with the Rules, will see to it that the loans are disbursed to the members of Petitioner-society. On receiving the assurance letters, the bank is expected to take a decision expeditiously.

4. Petition disposed of accordingly.

(H.L. Gokhale, J.)

(Nishita Mhatre, J.)